

On June 21, 1927, the American Tropical Remedy Co., Santurce, P. R., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the products be released to the said claimant upon payment of the cost of the proceedings and the execution of a bond in the sum of \$800, conditioned in part that they not be sold or otherwise disposed of without first having been properly labeled as required by law.

W. M. JARDINE, *Secretary of Agriculture.*

15591. Misbranding of Prescription 999 astringent wash, Prescription 999 nerve tonic, and Prescription 999 capsules. U. S. v. 4 packages Prescription 999 Astringent Wash, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22358. I. S. Nos. 11359-x, 11361-x, 11362-x. S. No. 362.)

On January 13, 1928, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 packages of Prescription 999 astringent wash, 12 packages of Prescription 999 nerve tonic, and 12 packages of Prescription 999 capsules, at Toledo, Ohio, alleging that the articles had been shipped by the Combination Remedy Co., Pittsburgh, Pa., in part November 7, 1927, and in part November 23, 1927, and had been transported from the State of Pennsylvania into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended. The articles were labeled, in part: (Prescription 999 astringent wash, carton) "To be used in conjunction with 999 Capsules. For Kidney and Bladder disorders, as a wash for Irritated Membranes;" (Prescription 999 capsules, box label) "Recommended for Kidney and Bladder Disorders. This Medicine is a combination of Oil Sandalwood, Oil Cubebs, Copaiba and other valuable Vegetable Oils which are known to give the best results in treating the disease for which this medicine is intended. * * * after all signs of the disease have disappeared;" (Prescription 999 nerve tonic, box label) "Nerve Tonic. The Ingredients from which these capsules are compounded have been used and prescribed for years for rundown systems and nervous disorders."

Analyses of samples of the articles by this department showed that the Prescription 999 capsules consisted essentially of the volatile oils of nutmeg, santal, and cubeb, copaiba, and a fatty oil; that the astringent wash consisted essentially of boric acid, magnesium sulphate, and a coal-tar color; and that the nerve tonic consisted essentially of zinc phosphide, calcium sulphate, and extracts of nux vomica and damiana.

It was alleged in the libel that the articles were misbranded, in that the above-quoted statements regarding the therapeutic or curative effects of the said articles were false and fraudulent, since none of the articles contained any ingredient or combination of ingredients capable of producing the effects claimed.

On February 15, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15592. Misbranding of 999 nerve tonic. U. S. v. 8 Packages of 999 Nerve Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22363. I. S. No. 23685-x. S. No. 373.)

On January 9, 1928, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 packages of 999 nerve tonic, remaining in the original unbroken packages at Watertown, Wis., alleging that the article had been shipped by the Combination Remedy Co., from Pittsburgh, Pa., October 28, 1927, and transported from the State of Pennsylvania into the State of Wisconsin, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Box) "Nerve Tonic. The Ingredients from which these capsules are compounded have been used and prescribed for years for rundown systems and nervous disorders."

Analysis of a sample of the article by this department showed that it consisted of capsules containing zinc phosphide, calcium sulphate, and extracts of nux vomica and damiana.

It was alleged in the libel that the article was misbranded, in that the above quoted statements, regarding the curative effects of the said article,

were false and fraudulent, since it did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On February 2, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15593. Misbranding of 999 nerve tonic. U. S. v. 9 Packages of 999 Nerve Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22355. I. S. No. 11850-x. S. No. 386.)

On January 11, 1928, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 packages of an article of drugs labeled in part "999 Nerve Tonic," remaining in the original unbroken packages at Marion, Ind., alleging that the article had been shipped by the Combination Remedy Co., from Pittsburgh, Pa., on or about November 3, 1927, and transported from the State of Pennsylvania into the State of Indiana, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted of capsules containing zinc phosphide, calcium sulphate, and extracts of nux vomica and damiana.

It was alleged in substance in the libel that the article was misbranded, in that the packages contained certain false and fraudulent statements in regard to the ingredients of the said article, in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On February 3, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15594. Misbranding of B-L. U. S. v. 672 Dozen Bottles of B-L, Formerly Called Blud-Life, et al. Decrees of condemnation and forfeiture entered. Product released under bond. (F. & D. Nos. 22156, 22158, 22176, 22178, 22179, 22180, 22209. I. S. No. 17635-x. S. Nos. 203, 208, 228, 237, 238, 239, 269.)

On or about November 2, November 16, November 23, and November 29, 1927, respectively, the United States attorneys for the Northern District of California, Northern District of Illinois, Southern District of Ohio, Eastern District of Louisiana, and Northern District of Georgia, acting upon reports by the Secretary of Agriculture, filed in the District Courts of the United States for said districts libels praying the seizure and condemnation of 2235 1/4 dozen bottles of B-L, in various lots at San Francisco, Calif., Chicago, Ill., Cincinnati, Ohio, New Orleans, La., and Atlanta, Ga., consigned by the Blud Life Co., of Atlanta, Ga., alleging that the article had been shipped in part from Pulaski, Va., and in part from Baltimore, Md., between the dates of July 16, 1927, and October 22, 1927, and had been transported in interstate commerce into the States of California, Illinois, Ohio, Louisiana, and Georgia, respectively, and charging misbranding in violation of the food and drugs act as amended.

On November 19, 1927, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a District Court, a libel praying seizure and condemnation of 21 dozen bottles of B-L, alleging that the article was being sold and offered for sale in the District of Columbia, by the Peoples Drug Stores, Inc., and charging misbranding in violation of the food and drugs act as amended.

The bottles containing the said article and the cartons enclosing the said bottles were labeled, in part, as follows: (Bottle) "B-L Formerly Called Blud-Life * * * A Valuable Aid in the Treatment of Constipation. * * * Blud-Life Company * * * to quickly and completely cleanse your stomach and bowels;" (carton) "B-L Formerly Called Blud-Life * * * Red and Pure Blood Does Not Exist when an Anemic Condition is present * * * If you have an Anemic Condition of the Blood and Need a Good Tonic and Appetizer Try B-L which Supplies the Need in Pleasant and Scientific Form * * * Blud-Life Company * * * B-L * * * for children * * * may be given to them with perfect safety, since it contains no * * * nor anything to injure the most delicate child." A booklet shipped with the article bore, among others, the following statements: "B-L The name Blud-Life has been